

PAUL K. CHARLTON
 United States Attorney
 District of Arizona
 JAMES T. LACEY
 State Bar No. 007778
 Assistant U.S. Attorney
 DAVID P. FLANNIGAN
 State Bar No. 007162
 Assistant U.S. Attorney
 405 W. Congress, Suite 4800
 Tucson, Arizona 85701-5040
 Telephone: 520-620-7300
 david.flannigan@usdoj.gov
 james.lacey@usdoj.gov
 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America,)	
)	
Plaintiff,)	CR 91-0446-TUC-FRZ (HCE)
)	
v.)	GOVERNMENT'S RESPONSE
)	TO DEFENDANT'S MOTION
Felipe de Jesus Corona-Verbera,)	TO DISMISS INDICTMENT
)	RULE 6 VIOLATION
Defendant.)	

The United States of America, by and through its attorneys, Paul K. Charlton, United States Attorney for the District of Arizona, and David P. Flannigan, Assistant U.S. Attorney, in response to the Defendant's Motion to Dismiss the Indictment, hereby states that defense counsel states no authority for her position, other than Rule 6(d) of the Federal Rules of Criminal procedure which was not violated.

Counsel appears to think that simply because the statement of another person is presented to the Grand Jury that that person is somehow present improperly before the Grand Jury. If that were the case no individual's statements could ever be presented to the Grand Jury.

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1 Defendant's position is logically and factually without merit and should be denied.

2 Respectfully submitted this 13th day of February, 2006.

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4 PAUL K. CHARLTON
5 United States Attorney
6 District of Arizona

7 *s/ David P. Flannigan*

8 DAVID P. FLANNIGAN
9 Assistant United States Attorney

10 Copy of the foregoing served
11 electronically or by other means
12 this 13th day of February, 2006 to:

13 Andrea Matheson, Esq.
14 100 North Stone Avenue, Suite 702
15 Tucson AZ 85701-0001
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